

WORCESTER, ss.

## Chapter 7

WESTBOROUGH SPE LLC,

Debtor.

# INTRODUCTION

- Doc #189 Settlement Agreement by Trustee Jonathan R. Goldsmith and associated parties,
- Doc #190 Motion to Approve Settlement Agreement filed by Trustee Jonathan R. Goldsmith, and
- Doc #191 Opposition to Motion to Approve Settlement Agreement filed by Creditor Lolonyon Akouete.

1. On July 8, 2024, Trustee Jonathan R. Goldsmith filed a Settlement Agreement (Doc #189) and a Motion to Approve the Settlement Agreement (Doc #190).
2. On July 11, 2024, Creditor Lolonyon Akouete filed an Opposition to the Motion to Approve the Settlement Agreement (Doc #191).
3. The sole member of the debtor is Mignonette Investments Ltd., a British Virgin Islands entity that was struck off in 2017 due to non-payment of annual renewal fees. This company remains in a struck-off status for seven years before being deemed dissolved in 2024. Restoration involves a detailed application process and satisfying various statutory requirements. ( BVI Business Companies Act, 2004 Part XII Section 219) **See Exhibit 1 and 2.**

## LEGAL BASIS

Pursuant to Federal Rule of Bankruptcy Procedure 9006(c) and the inherent powers of the Bankruptcy Court, this Court has the authority to reduce the time for notice of a hearing or for filing objections and oppositions. Rule 9006(c)(1) states: "Except as provided in paragraph (2) of this subdivision, when an act is required or allowed to be done at or within a specified time by these rules or by a notice given thereunder or by order of court, the court for cause shown may in its discretion with or without motion or notice order the period reduced."

### **GROUND FOR REQUEST**

1. **Time Sensitivity:** The issues at hand involve the proposed Settlement Agreement, which directly impacts the value realization from the Debtor's estate. The trustee has already taken seven months to work on this settlement proposal.
2. **Avoiding Complications:** The restoration of Mignonette Investments Ltd. as the member of the debtor requires timely action to prevent any complications in the restoration process. The shortening of time is needed as time is of the essence to ensure compliance with statutory requirements and avoid the need for a more complex court order.
3. **Preventing Further Delays:** Shortening the time frame will help in avoiding potential delays that may arise from prolonged objections and responses, ensuring a more efficient resolution process.
4. **Best Interest of Creditors:** A prompt resolution is crucial for the equitable treatment of all creditors and for maximizing the value of the Debtor's estate.

### **PROPOSED TIMELINE**

1. **Objections and Oppositions:** To be filed within 5 days of the Court's order granting this Motion.
2. **Replies:** To be filed within 3 days after the deadline for Objections and Oppositions.

### **CONCLUSION**

For the reasons set forth above, Movant respectfully requests that the Court grant this Motion to Shorten Time for Objections, Oppositions, and Replies related to Doc #189, Doc #190, and Doc #191.

DATED: July 11, 2024, Respectfully submitted:

By creditor,



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Lolonyon Akouete  
800 Red Milles Rd  
Wallkill NY 12589  
info@smartinvestorsllc.com  
(443) 447-3276



Lolonyon Akouete &lt;info@smartinvestorsllc.com&gt;

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**Looking to reach a director at Abraxas International Limited**

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**Julie Ip** <Julie.ip@tmf-group.com>

Thu, Mar 23, 2023 at 2:51 AM

To: Lolonyon Akouete &lt;info@smartinvestorsllc.com&gt;

Lolonyon,

Mignonette Investments Limited has been struck off, and that therefore no one can carry on the company's affairs or deal with the assets of the company.

Thank you.

**Julie Ip**

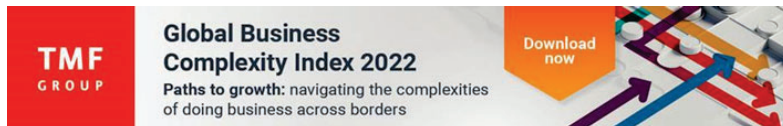
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**From:** Lolonyon Akouete <info@smartinvestorsllc.com>**Sent:** Wednesday, March 22, 2023 8:41 AM**To:** Linda Fok <[Linda.Fok@tmf-group.com](mailto:Linda.Fok@tmf-group.com)>**Cc:** Penny Cheng <[penny.cheng@tmf-group.com](mailto:penny.cheng@tmf-group.com)>; Maggie Chan <[Maggie.Chan@tmf-group.com](mailto:Maggie.Chan@tmf-group.com)>; TMF International (Corpsaleshk) <[corpsaleshk@tmf-group.com](mailto:corpsaleshk@tmf-group.com)>; Jessica Chow <[jessica.chow@tmf-group.com](mailto:jessica.chow@tmf-group.com)>; Florence Tang <[Florence.Tang@tmf-group.com](mailto:Florence.Tang@tmf-group.com)>; Valerie Wong <[valerie.wong@tmf-group.com](mailto:valerie.wong@tmf-group.com)>**Subject:** Re: Looking to reach a director at Abraxas International Limited

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Lolonyon Akouete <info@smartinvestorsllc.com>

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## BVI Company Restoration (Mignonette Investments Limited - BVI - 243736)

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Henisha SHAH <henisha.shah@kaizencpa.com>

Tue, Apr 25, 2023 at 6:23 AM

To: "info@smartinvestorsllc.com" <info@smartinvestorsllc.com>

Cc: Benjamin YEN <benjamin.yen@kaizencpa.com>, Cathy Mak <cathy.mak@kaizencpa.com>, Barry Wong <barry.wong@kaizencpa.com>

Dear Lolonyon Akouete,

Ref. trail mail, we note that the subject BVI Company was struck off in 2017 due to non-payment of Annual Renewal fees.

To bring the Company in good standing legal transfer in, restoration and submission of all the outstanding fees are required. In respect to the same, please find below our quotation for your kind perusal:-

Items	USD
Force Transfer-In	550
BVI Lawyer Handling Fee for company not in good standing	250
Restoration (company strike more than 6 months)	2,900
2016 Annual Renewal Fee with penalty	1,025
2017 Annual Renewal Fee with penalty	1,025
2018 Annual Renewal Fee with penalty	1,175
2019 Annual Renewal Fee with penalty (including ES Reporting)	1,175 + 500
2020 Annual Renewal Fee with penalty (including ES Reporting)	1,175 + 500
2021 Annual Renewal Fee with penalty (including ES Reporting)	1,175 + 500
2022 Annual Renewal Fee with penalty (including ES Reporting)	1,175 + 500

<b>TOTAL</b>	<b>13,625</b>
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\*Please note that the above fee quote will be valid until 31 May 2023.

\*\*Most Recent Company Search maybe required subjected to BVI Lawyer's decision. Thus, addition USD150 may be charged.

\*\*\* Please note that additional USD100 will be charged for physical copy of certificate of restoration. Please confirm if physical certificate is required.

Upon your confirmation, we shall issue an invoice to proceed further.

Thank you.

Shall you have any question(s), please feel free to contact us.

*Headquartered in Hong Kong, **Kaizen Group** has been established for more than 20 years and has set up offices in Beijing, Shenzhen, Shanghai, Taipei, Singapore, New York, London, Tokyo and Kuala Lumpur. Kaizen's members consist of public accounting firms, intellectual property agent and immigration consulting firm etc.*

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above mentioned services in Hong Kong, Macau, Taiwan, Mainland China, Singapore, Malaysia, UK, USA, Italy, Germany, Australia and many other jurisdictions. Please click on the below link for more detailed information:*

*<https://www.kaizencpa.com/Publication/info/id/1.html>*

P.S. We would like to advise you that our Hong Kong head office will be closed on 1 May 2023 for celebration of Labour Day. Should there be any case that needs immediate attention, please kindly let us have your instructions on or before 24 April 2023 so that we can handle it in a timely manner. Thank you!

For the holiday arrangement of Kaizen Group's other offices, please refer to our official website <https://www.kaizencpa.com/News/info/id/281.html>

Best Regards,



Henisha SHAH

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CERTIFICATE OF SERVICE

I, Lolonyon Akouete, hereby certify that the above document is served by email and mailing a copy of the same, first-class mail, to the following:

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